



Licensing
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Bobby Jindal, Governor
Suzy Sonnier, Secretary

March 24, 2014

Dear Child Care Provider:

The Department of Children and Family Services (DCFS) wants to provide up-to-date information so that you will be fully informed of new processes and standards. Please read this information carefully and keep it on hand to refer to as needed. You can also find this information on the DCFS website www.dcfs.louisiana.gov under the Child Care Update section.

On March 1, 2014, The Department of Children and Family Services (DCFS), Division of Programs, Licensing Section amended the Class A licensing regulations in the following sections: 7302, 7303, 7304, 7305, 7311, 7315, 7317, 7331, 7333, and 7335 and the Class B licensing regulations in the following sections: 7355, 7357, 7359, 7361, 7363, 7365, 7371, 7372, and 7385.

In accordance with R.S. 46:1430, this Rule allows the Department of Children and Family Services (DCFS), in lieu of license revocation, to enact intermediate sanctions through the use of civil fines relative to child care facilities that violate the terms of licensure for specific violations, including violations of requirements related to supervision, criminal history checks, state central registry disclosure forms, staff-to-child ratios, motor vehicle checks, or failing to report critical incidents, if such condition or occurrence does not pose an imminent threat to the health, safety, rights, or welfare of a child. These civil fines would not be more than \$250 per day for each assessment, and the aggregate fines assessed for violations determined in any consecutive 12-month period shall not exceed \$2000. In addition, the Rule provides for a process of appeal and notes that all civil fines collected from providers will be placed in the Child Care Licensing Trust Fund for the education and training of employees, staff, or other personnel of child care facilities and child-placing agencies. The Rule also offers clarification and revisions to the specific areas for which a fine may be assessed to include supervision, criminal history checks, state central registry disclosure forms, staff-to-child ratios, motor vehicle checks, and critical incidents. In accordance with R.S. 46:1409.B (10), the Rule includes procedures to allow a day care center to remedy certain deficiencies immediately upon identification by the department.

This letter is being sent to you to inform you that an emergency rule has been adopted **effective March 12, 2014** making changes to 7302.A.3, 7355.A.3 (establishing a history of non compliance for assessing fines) and 7317.E., 7372.E. (naptime supervision) in the newly revised Class A and Class B regulations that went into effect March 1, 2014.



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DCFS held statewide trainings to inform providers of the revised regulations that went into effect March 1, 2014. With regard to 7302.A.3 and 7355.A.3, providers were informed that any violations in the six categories cited during any 24 months period were to be counted, even if one or more of the violations occurred prior to the adoption of the current set of standards (March 1, 2014). The emergency rule adopted March 12, 2014, amends the regulation to include that for the purpose of determining multiple violations in the six categories cited for imposing the civil fines, the violations will be assessed from the effective date of the emergency rule, March 12, 2014 forward. This allows the Department to assess a fine for the second violation cited after March 12, 2014 for any of the six critical violations. For purposes of establishing a history of non compliance which can result in the revocation of a license, this does not change the method of determining the 24 month period for violations in the six categories, even if one or more of the violations occurred prior to the adoption of the current set of standards.

Providers were also informed at these statewide trainings that according to 7317.E. and 7372.E. children ages two years and above may be grouped together at rest time with one staff in each room supervising the resting children. The emergency rule amends this to include children ages one year and above. Therefore, children ages one year and above may be grouped together at rest time with one staff in each room supervising the resting children. The regulations still require the appropriate child to staff ratio to be met in the center during rest time.

The revised Class A and Class B regulations as well as the DCFS form noting required child/staff ratios, forms, and other reference/tip sheets may be accessed on the DCFS website.

If you have any questions regarding other child care licensing issues, please call a State Office Licensing Consultant at (225) 342-9905. Please check the DCFS website at www.dcfsls.gov under Child Care Updates often as updates on various topics are posted frequently.

Sincerely,



Angie Badeaux, LCSW
DCFS Licensing Section
Director